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January 11, 2024

**BY ECF**

Honorable John P. Cronan  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Joseph Srour v. City of New York et. al.,  
23-CV-9489 (JPC)

Your Honor:

I am an attorney in the office of Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for defendants City of New York (“City”), New York City Police Department (“NYPD”) Commissioner Edward A. Caban, and Nicole Berkovich in the above-entitled action. I write to respectfully request a two-week enlargement of time to file defendants’ motion to dismiss, with a corresponding extension of the deadlines to file the opposition and reply. Plaintiff’s counsel consents to this request, and to the new proposed briefing schedule set forth below.

On December 7, 2023, the parties filed a letter setting forth a proposed briefing schedule for the motion to dismiss. Shortly thereafter, the decision in Antonyuk v. Chiumento, No. 22-2908 (2d Cir. Dec. 8, 2023) was issued, and, on December 12, 2023, the Court declined to sign the proposed briefing schedule and instead directed the parties to file letters regarding that decision by December 22, 2023. Upon plaintiff’s request, that deadline was enlarged to January 5, 2024. The parties each filed a letter regarding the impact of the Antonyuk decision on this matter. On January 8, 2024, the Court directed that the defendants’ motion to dismiss be filed in accordance with the briefing schedule that the parties proposed on December 7<sup>th</sup>.

However, in between December 12, 2023 and January 8, 2024, motion and discovery deadlines in several of my other cases were set for the first two weeks of January, and I was assigned a new matter in which there is a hearing regarding a request for emergency relief. As a result, defendants require additional time to brief the motion to dismiss, and request that the Court enlarge the briefing schedule as follows:

- Motion papers due February 2, 2024;
- Opposition due February 19, 2024; and,
- Reply due February 26, 2024.

I thank the Court for its consideration of this request.

Respectfully submitted,

/S

Aimee K. Lulich

The request is granted. Defendants shall file their motion by February 2, 2024, Plaintiff shall file opposition by February 19, 2024, and Defendants shall file any reply by February 26, 2024. The Clerk of Court is respectfully directed to close Docket Number 31.

SO ORDERED.

Date: January 12, 2024

New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", written over a horizontal line.

JOHN P. CRONAN  
United States District Judge